

**UNITED STATES DISTRICT COURT OF THE VIRGIN ISLANDS
BANKRUPTCY DIVISION**

COMPLAINT

**FOR CIVIL RACKETEERING, CIVIL VIOLATIONS OF THE CRIMINALLY
INFLUENCED AND CORRUPT ORGANIZATIONS ACT, FOR DEPRIVATION OF
CIVIL RIGHTS UNDER THE COLOR OF LAW AND FOR OTHER RELIEF**

EXHIBIT 2

PL BENTA'S SEPTEMBER 3, 2011, POLICE REPORT OF THE JULY 29TH EVENTS

OFFENSE
REPORT

V. I. POLICE DEPARTMENT - United States Virgin Islands

Page 1 of 3

| | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|------------------------|----------------------------------|---|--|-------------------------------|--|---|--|---------------------------------|--|--|--|----------------|--|-----------------------------------|--|----------------------------|--|-----|--|------|--|
| 1. OFFENSE/INCIDENT Police Assistance | | 2. ZONE C | | 3. DR# 11 A-09012 | | | | | | | | | | | | | | | | | | | |
| | | R/A W-1 | | 4. ARREST # | | | | | | | | | | | | | | | | | | | |
| | | P/S 2 | | 5. UCR # | | | | | | | | | | | | | | | | | | | |
| 6. COMPLAINANT'S NAME - FIRM OR BUS. PROSSER, Jeffery | | | 7. HOME ADDRESS #5 & 10 Shoys | | | 8. HOME PHONE 561-346-6328 | | | | | | | | | | | | | | | | | |
| 9. SEX M | | 10. D.O.B. 09/19/56 | | 11. RACE WHIT | | 12. POB Nebraska | | 13. SSN | | 14. OCCUPATION Self Employed | | | | | | | | | | | | | |
| 15. BUS. ADDRESS OR SCHOOL ATTENDING BUSINESS OWNER | | | | 16. BUS/SCH PHONE N/A | | | | 17. LOCATION OF INCIDENT (Address) #5 & 10 Shoys | | | | | | | | | | | | | | | |
| 18. TIME OF OCCURRENCE 9:30 AM | | M 07 D 29 Y 11 | | DAY OF WEEK Friday | | & TIME 10:30 AM | | M 07 D 29 Y 11 | | DAY OF WEEK Friday | | 19. TIME REPORTED 3:04 PM | | M 09 D 03 Y 11 | | DAY OF WEEK Saturday | | | | | | | |
| 20. BY WHOM BENTA, Oakland | | | | 21. ADDRESS OF REPORTING PERSON #5 & 10 Shoys | | | | 22. PHONE # 340-642-7766 | | | | | | | | | | | | | | | |
| 23. DESCRIPTION N/A | | RACE | | AGE | | HT. | | WT. | | EYES | | HAIR | | BUILD | | COMPLEXION | | BEARD, MUSTACHE, SIDEBURNS | | HAT | | COAT | |
| 24. MENTAL CONDITION | | 25. PHYSICAL CONDITION | | | | | | | | | | | | | | | | | | | | | |
| 26. SCARS, MARKS, DEFORMITIES | | | | 27. GLASSES (Describe) | | | | 28. LAST SEEN WHERE | | | | 29. IN COMPANY OF | | | | 30. PROBABLE DESTINATION | | | | | | | |
| 31. CAUSE OF ABSENCE | | | | 32. Vehicle DESCRIBE <input type="checkbox"/> YES <input type="checkbox"/> NO | | | | 33. MISSING PREVIOUSLY <input type="checkbox"/> YES <input type="checkbox"/> NO | | | | 34. IF YES, DATE/WHERE LOCATED | | | | | | | | | | | |
| ANIMAL (If persons injured, also Complete Injury Section) | | | | 35. DESCRIPTION OF ANIMAL | | | | 36. IF ANIMAL BITE, GIVE INOCULATION NO. | | | | 37. LICENSE NO. | | | | 38. DISPOSITION | | | | | | | |
| 39. OWNER | | | | 40. RESIDENCE ADDRESS | | | | 41. RESIDENCE PHONE | | | | 42. BUSINESS PHONE | | | | | | | | | | | |
| 43. <input type="checkbox"/> INJURY <input type="checkbox"/> DEATH | | | | 44. NATURE OF INJURY AND LOCATION ON BODY | | | | 45. TRANSPORTED TO | | | | 46. TRANSPORTED BY | | | | | | | | | | | |
| 47. <input type="checkbox"/> ADMITTED <input type="checkbox"/> RELEASED | | | | 48. PROBABLE CAUSE OF INJURY OR DEATH | | | | 49. PHYSICIAN | | | | | | | | | | | | | | | |
| STATUS OF VEHICLE. USE APPLICABLE ITEMS IN THIS SECTION FOR ALL "AUTO THEFT" OR "VEHICLE REPORTS" OR OTHER TRANSPORTATION -- <input type="checkbox"/> MOTORCYCLES <input type="checkbox"/> AUTO <input type="checkbox"/> TRUCK <input type="checkbox"/> BUS <input type="checkbox"/> BOAT <input type="checkbox"/> Other... | | | | | | | | | | | | | | | | | | | | | | | |
| 50. <input type="checkbox"/> STOLEN <input type="checkbox"/> RECOVERED <input type="checkbox"/> ABANDONED <input type="checkbox"/> IMPOUNDED <input type="checkbox"/> CONFISCATED | | | | | | | | | | | | | | | | | | | | | | | |
| 51. POINT OF ENTRY: <input type="checkbox"/> LOCKED DOOR <input type="checkbox"/> UNLOCKED DOOR <input type="checkbox"/> WINDOW <input type="checkbox"/> VENT <input type="checkbox"/> TRUNK <input type="checkbox"/> HOOD | | | | | | | | | | | | | | | | | | | | | | | |
| 52. METHOD OF THEFT (Crossed Wires, Infol, etc.) | | | | | | | | | | | | 53. KEYS IN IGNITION <input type="checkbox"/> YES <input type="checkbox"/> NO | | | | | | | | | | | |
| 54. DESCRIBE EVIDENCE OF STRIPPING, TAMPERING, DAMAGE TO AUTO | | | | | | | | | | | | | | | | | | | | | | | |
| 55. COLOR | | | | 56. YR/MAKE/MODEL/TYPE | | | | 57. VIN | | | | 58. YR/STATE/U.C. PLATE NO./STICKER NO. | | | | | | | | | | | |
| 59. VALUE | | | | 60. TOWED BY/WHERE | | | | 61. Time/date Recovered/location | | | | | | | | | | | | | | | |
| 62. IN. COMPANY | | | | | | | | 63. TYPE OF PROPERTY DAMAGE | | | | | | | | 64. VALUE OF PROPERTY DAMAGE/LOSS | | | | | | | |
| 65. Narcotics Type | | | | 66. Quantity | | | | 67. Fd. Test By | | | | | | | | | | | | | | | |

68. TYPE PREMISE WHERE OFFENSE OCCURRED

A. Residence #5 & 10 Shoys

B. Non-Residence

69. POINT OF ENTRY

- ☐ Adjacent Premise
☐ Window
☐ Door - Sliding Glass
☐ Roof
☐ Garage
☐ Hallway
☐ Patio
☐ Unknown
☐ Other...

72. PROTECTIVE DEVICE

- ☐ Dog
☐ Alarm
☐ Professional Security Patrol
☐ Normal Locking Devices
☐ Lighting Device
☐ T.V. Camera
☐ None
☒ Other... N/A

70. LOCATION OF ENTRY

| | | | | |
|-------|---|---|---|-----|
| N | S | E | W | Unk |
| North | | | | |

71. LOCATION OF EXIT

| | | | | |
|-------|---|---|---|-----|
| N | S | E | W | Unk |
| North | | | | |

73. PROPERTY TYPE

- ☐ Currency
☐ Jewelry
☐ Clothing
☐ Office Equipment
☐ Television, Radios, Cameras, Etc.
☐ Firearms
☐ Household Goods
☒ Other... N/A

74. TOOL

- ☐ Pry Bar / Crowbar
☐ Screwdriver
☐ Knife / Cutting Instrument
☐ Hammer / Mallet Device
☐ Bolt Cutter
☐ Key
☐ Unknown
☒ Other... N/A

76. METHOD USED

- ☐ Break Window / Door Glass
☐ Jimmy Door / Window
☐ Burned
☐ Punched
☐ Removed
☐ Cutting / Stabbing
☐ Strong Arm
☐ Striking / biting
☐ Verbal Threat
☐ Shooting
☒ Other... N/A

78. GUN FEATURES

- ☐ 01. Automatic
☐ 02. Revolver
☐ 03. Double Barrel
☐ 04. Single Barrel
☐ 05. Long Barrel
☐ 06. Short Barrel
☐ 07. Sawed Barrel
☐ 08. Bolt Action
☐ 09. Altered Grip
☐ 10. Chrome Grip
☐ 11. Blue
☐ 12. Small Caliber
☐ 13. Large Caliber
☒ Other...

PM 01:18 SEP 07 11 VIPD REC BU

77. WEAPON

- ☐ Hands / Feet
☐ Pocket Knife
☐ Machete
☐ Handgun
☐ Shotgun
☐ Rifle
☐ Rock
☐ Bottle
☒ Other... N/A

N/A

Brand Name / Caliber

79. DOCUMENT

N/A

| | | | | | |
|---|--|---|--|--|--|
| 80. REPORTING OFFICER NAME & BADGE NO. Det. Melissa Fraser 124 | | 82. VISITOR(S) INVOLVED AS: <input type="checkbox"/> VICTIM <input type="checkbox"/> PERPETRATOR <input type="checkbox"/> WITNESS N/A | | 84. APPROVING OFFICER PRINT & SIGNATURE Det. R. Williams 1249 | |
| 81. SECOND OFFICER NAME & BADGE NO. Det. Joshua Williams 751 | | 83. REPORTING OFFICER RECOMMENDS FOLLOW-UP <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | | 85. REVIEWER'S SIGNATURE & TITLE Det. Williams | |

86. DESCRIPTION OF THE SUSPECT(S)

Exhibit Exhibit 2 Police Report Page 3 of 4

(1) N/A

Name, Address, Phone No.

(2)

Name, Address, Phone No.

(3)

Name, Address, Phone No.

(4)

Name, Address, Phone No.

87. SEX

- ☐ ☐ ☐ ☐ 01. Male
☐ ☐ ☐ ☐ 02. Female
☐ ☐ ☐ ☐ 01. White
☐ ☐ ☐ ☐ 02. Black
☐ ☐ ☐ ☐ 03. Indian
☐ ☐ ☐ ☐ 04. Oriental
☐ ☐ ☐ ☐ 05. Hispanic
☐ ☐ ☐ ☐ 06. Unknown
☐ ☐ ☐ ☐ 07. Other

89. AGE

- ☐ ☐ ☐ ☐ 01. Under 18
☐ ☐ ☐ ☐ 02. 18-25
☐ ☐ ☐ ☐ 03. 26-35
☐ ☐ ☐ ☐ 04. 36-50
☐ ☐ ☐ ☐ 05. Over 50

90. BUILD

- ☐ ☐ ☐ ☐ 01. Short
☐ ☐ ☐ ☐ 02. Medium
☐ ☐ ☐ ☐ 03. Muscular
☐ ☐ ☐ ☐ 04. Large
☐ ☐ ☐ ☐ 05. Slim

91. CLOTHING

- ☐ ☐ ☐ ☐ 01. Hat
☐ ☐ ☐ ☐ 02. Coat
☐ ☐ ☐ ☐ 03. Shirt, Blouse
☐ ☐ ☐ ☐ 04. Trousers, Skirt
☐ ☐ ☐ ☐ 05. Shoes

92. HEIGHT

- ☐ ☐ ☐ ☐ 01. Over 6'3"
☐ ☐ ☐ ☐ 02. 6'0" - 6'3"
☐ ☐ ☐ ☐ 03. 5'9" - 6'0"
☐ ☐ ☐ ☐ 04. 5'6" - 5'9"
☐ ☐ ☐ ☐ 05. 5'3" - 5'6"
☐ ☐ ☐ ☐ 06. 5'0" - 5'3"
☐ ☐ ☐ ☐ 07. Under 5'0"

93. EYES (Color)

- ☐ ☐ ☐ ☐ 01. Black
☐ ☐ ☐ ☐ 02. Blue
☐ ☐ ☐ ☐ 03. Brown

94. FACIAL HAIR

- ☐ ☐ ☐ ☐ 01. Mustache
☐ ☐ ☐ ☐ 02. Beard
☐ ☐ ☐ ☐ 03. Sideburns
☐ ☐ ☐ ☐ 04. Heavy Eyebrows
☐ ☐ ☐ ☐ 05. Clean Shaven

95. HAIR

- ☐ ☐ ☐ ☐ 01. Bald Head
☐ ☐ ☐ ☐ 02. Black
☐ ☐ ☐ ☐ 03. Blonde or Strawberry
☐ ☐ ☐ ☐ 04. Brown
☐ ☐ ☐ ☐ 05. Gray or Partial Gray
☐ ☐ ☐ ☐ 06. Red or Auburn
☐ ☐ ☐ ☐ 07. Sandy
☐ ☐ ☐ ☐ 08. White
☐ ☐ ☐ ☐ 09. Locks
☐ ☐ ☐ ☐ 10. Unknown

96. HAIR STYLE

- ☐ ☐ ☐ ☐ 01. Afro
☐ ☐ ☐ ☐ 02. Long, Straight
☐ ☐ ☐ ☐ 03. Long, Curly
☐ ☐ ☐ ☐ 04. Short, Straight
☐ ☐ ☐ ☐ 05. Short, Curly
☐ ☐ ☐ ☐ 06. Receding
☐ ☐ ☐ ☐ 07. Toupée
☐ ☐ ☐ ☐ 08. Wig
☐ ☐ ☐ ☐ 09. Bald, w/Fringe
☐ ☐ ☐ ☐ 10. Locks

97. VOCAL IDENTITY

- ☐ ☐ ☐ ☐ 01. Foreign
☐ ☐ ☐ ☐ 02. Southern
☐ ☐ ☐ ☐ 03. Fast clipped
☐ ☐ ☐ ☐ 04. West Indian
☐ ☐ ☐ ☐ 05. Slurred
☐ ☐ ☐ ☐ 06. Stutters
☐ ☐ ☐ ☐ 07. Deep Pitch
☐ ☐ ☐ ☐ 08. High Pitch

98. SUSPECT BEHAVIOR

- ☐ ☐ ☐ ☐ 01. Threat of Bodily Harm
☐ ☐ ☐ ☐ 02. Threat of Property Loss
☐ ☐ ☐ ☐ 03. Tied or Locked up Victim
☐ ☐ ☐ ☐ 04. Did Considerable Talking
☐ ☐ ☐ ☐ 05. Did Little or No Talking
☐ ☐ ☐ ☐ 06. Acted Nervous or Excited
☐ ☐ ☐ ☐ 07. Acted Calm or Deliberate
☐ ☐ ☐ ☐ 08. Disguised or Masked
☐ ☐ ☐ ☐ 09. Used Lubricant
☐ ☐ ☐ ☐ 10. Malicious Destruction
☐ ☐ ☐ ☐ 11. Used Tools Found at Scene
☐ ☐ ☐ ☐ 12. Ate/Drank on Premises
☐ ☐ ☐ ☐ 13. Defecated
☐ ☐ ☐ ☐ 14. Perspired
☐ ☐ ☐ ☐ 15. Unusual Odor
☐ ☐ ☐ ☐ 16. Other

99. MODUS OPERANDI OF SUSPECT

- ☐ ☐ ☐ ☐ 01. Bound Comp/Victim
☐ ☐ ☐ ☐ 02. Used Knife
☐ ☐ ☐ ☐ 03. Prostitution Involved
☐ ☐ ☐ ☐ 04. Used Lockout
☐ ☐ ☐ ☐ 05. Apologetic
☐ ☐ ☐ ☐ 06. Made Gestures
☐ ☐ ☐ ☐ 07. Sex Acts Involved
☐ ☐ ☐ ☐ 08. Used Stolen Vehicle
☐ ☐ ☐ ☐ 09. Shots Fired
☐ ☐ ☐ ☐ 10. Used Comp/Victim Name
☐ ☐ ☐ ☐ 11. Used Other Familiar Name
☐ ☐ ☐ ☐ 12. Other

100. SOLVABILITY FACTORS

- Yes No Unk
☐ ☐ ☐ 01. Can suspect vehicle be identified?
☐ ☐ ☐ 02. Is stolen property traceable?
☐ ☐ ☐ 03. Was physical evidence collected?
☐ ☐ ☐ 04. Is specific MO present?
☐ ☐ ☐ 05. Is victim willing to prosecute?
☐ ☐ ☐ 06. Was an arrest made?
☐ ☐ ☐ 07. Can suspect be named?
☐ ☐ ☐ 08. Can suspect be identified?
☐ ☐ ☐ 09. Can suspect be described?
☐ ☐ ☐ 10. Can suspect be located?
☐ ☐ ☐ 11. Is suspect related to victim?
☐ ☐ ☐ 12. Was there a witness?

101. RECOMMENDED ACTION -
UNDER SOLVABILITY FACTORS

Follow Up By:

- ☐ ☐ ☐ ☐ 01. Investigation
☐ ☐ ☐ ☐ 02. Juvenile
☐ ☐ ☐ ☐ 03. I.A.U.
☐ ☐ ☐ ☐ 04. I.I.U.
☐ ☐ ☐ ☐ 05. Traffic
☐ ☐ ☐ ☐ 06. Patrol

Outside Agency

- ☐ ☐ ☐ ☐ 07. F.B.I.
☐ ☐ ☐ ☐ 08. Postal Inspector
☐ ☐ ☐ ☐ 09. Mental Health
☐ ☐ ☐ ☐ 10. Coast Guard
☐ ☐ ☐ ☐ 11. Narcotics
☐ ☐ ☐ ☐ 12. Social Welfare
☐ ☐ ☐ ☐ 13. Other

102. CASE STATUS

- ☐ ☐ ☐ ☐ 01. Unfounded
☐ ☐ ☐ ☐ 02. Closed/Arrest
☐ ☐ ☐ ☐ 03. Exception/Cleared
☐ ☐ ☐ ☐ 04. Suspended
☐ ☐ ☐ ☐ 05. Open
☐ ☐ ☐ ☐ 06. Closed

103. DISPATCH TIME 15:06
 ARRIVAL TIME 16:01
 DEPARTURE TIME 16:43

104. CODE: V - Victim O - Owner P - Parent/Guardian R - Reporting Person CP - Child Present W - Witness

| NAME(S) | CODE | RESIDENCE ADDRESS | RES. PHONE | EMPL/SCH/PHONE |
|----------------|------|-------------------|------------|----------------|
| Benta, Oakland | R | | | 340-642-7766 |
| | | | | |
| | | | | |
| | | | | |

105. NARRATIVE:

On today's date, September 3, 2011, my partner Police Officer J. Williams and I were dispatched at approximately 1506 hrs to a Police Assistance incident at #5 & 10 Shoys.

Upon our arrival at approximately 1601, contact was made with Mr. Oakland Benta who informed us that he was the one responsible for the property at #5 & 10 Shoys Christiansted owned by Mr. Jeffery Prosser. Mr. Benta stated that on July 29, 2011, inspectors from the Christie Group came by court order to inspect and transport the wine that was kept on said property at approximately 0930 hrs. Mr. Benta stated that the chilled room where the wine was kept was locked and secured until he unlocked it for the inspectors. Mr. Benta stated that he opened the room for the inspectors to "do what they had to" and he stepped outside. Mr. Benta stated that about fifteen (15) minutes after the inspectors finished, he stepped into the wine room and he immediately felt a temperature change. Mr. Benta further stated that he made a check of the room and noticed that the plug for the air conditioner was unplugged. Mr. Benta concluded saying that he immediately plugged back in the air conditioner and secured the room once again.

Mr. Benta stated that he would provide the names of the inspectors so that a supplement report can be written. I advised Mr. Benta that this was a civil matter and that it would have to be dealt with in civil court.

911 Emergency Call Center was notified of our findings.

Based on the above statement and observations, I request this case be carried closed.


Malissa J. Fraser